UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,644	09/12/2003	Jurgen Prange	SRE0005-US	7580

28970   7590   12/14/2006

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER
SEREBOFF, NEAL

ART UNIT	PAPER NUMBER
3626	

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

RJ

	Application No.	Applicant(s)
Office Action Summary	10/660,644	PRANGE, JURGEN
	Examiner	Art Unit	
	Neal R. Sereboff	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-20*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-20*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>*12 September 2003*</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>*See Continuation Sheet*</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :3/23/2004, 7/13/2004, 11/15/2004, 8/15/2005.

DETAILED ACTION

1.   Claims 1 – 20 are pending and the Information Disclosure Statements (PTO-1449)

submitted on 3/23/2004, 7/13/2004, 11/15/2004, 8/15/2005 have been considered.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   **Claims 1 – 20** are rejected under 102(e) as being anticipated by Levit, U.S. Pre-Grant

Publication Number 2002/0128877 (see reference A on the attached PTO-892).

4.   As per claim 1, Levit teaches the system for transacting business between a customer and

a business, the system comprising:

- A server used by the business and being accessible by the customer (see paragraph 27

  where the computer is a server); and

- A customer account housed on the server, wherein the customer account includes

  automated instructions that allow the customer

    - To advise the business of an upcoming payment for an upcoming event (see

      paragraph 36 where the upcoming payment is for a purchased insurance policy),

    - To request a payment from the business from a previous event (see paragraph 50

      where the claim amount is determined to be paid), or

      o   To pair a payment with one or more previous events (see paragraph 51 where

             payment is made with the authorization provided in paragraph 50).

5.   As per claim 2, Levit teaches the system of claim 1 as described above. Levit further

teaches the system wherein the previous event is a claim submitted by the customer to the

business (see paragraph 50), and wherein payment is owed to the customer for the claim (see

paragraph 51).

6.   As per claim 3, Levit teaches the system of claim 2 as described above. Levit further

teaches the system wherein the claim relates to an insurance claim (see paragraph 50 where the

insurance product is health insurance).

7.   As per claim 4, Levit teaches the system of claim 1 as described above. Levit further

teaches the system wherein the upcoming event is a premium payment for an insurance policy

(see paragraph 36 where the upcoming payment is for a purchased insurance policy).

8.   As per claim 5, Levit teaches the system of claim 1 as described above. Levit further

teaches the system comprising a computer in communication with the server wherein the

customer accesses the server through the computer (see paragraph 34 where the computer is

required and paragraph 36 where access is provided through various computer methods including

computers in communication with the system).

9.   As per claim 6, Levit teaches the system of claim 5 as described above. Levit further

teaches the system wherein the access to the server from the computer includes use of the

Internet (see paragraph 37).

10.   As per claim 7, Levit teaches the system of claim 5 as described above. Levit further

teaches the system wherein the access to the server from the computer is remote (see paragraph

36 where the computer is in communication with the system through network connections or dial-in phone lines).

11.   As per claim 8, Levit teaches the system for transacting business between a customer and a business, the system comprising:

- A server used by the business and being accessible by the customer (see paragraph 27 where the computer is a server); and

- A customer account housed on the server, wherein the customer account includes

  o   Means for advising the business of an upcoming payment for an upcoming event (see paragraph 38 where the business is notified when the credit card is processed paying the customer's premium),

  o   To request a payment from the business from a previous event (see paragraph 50 where the claim amount is determined to be paid), or

  o   To pair a payment with one or more previous events (see paragraph 51 where payment is made with the authorization provided in paragraph 50).

12.   As per claim 9, Levit teaches the system of claim 8 as described above. Levit further teaches the system wherein the previous event is a claim submitted by the customer to the business (see paragraph 50), and wherein payment is owed to the customer for the claim (see paragraph 51).

13.   As per claim 10, Levit teaches the system of claim 9 as described above. Levit further teaches the system wherein the claim relates to an insurance claim (see paragraph 50 where the insurance product is health insurance).

14.   As per claim 11, Levit teaches the system of claim 8 as described above. Levit further teaches the system wherein the upcoming event is a premium payment for an insurance policy (see paragraph 36 where the upcoming payment is for a purchased insurance policy).

15.   As per claim 12, Levit teaches the system of claim 8 as described above. Levit further teaches the system comprising a computer in communication with the server wherein the customer accesses the server through the computer (see paragraph 34 where the computer is required and paragraph 36 where access is provided through various computer methods including computers in communication with the system).

16.   As per claim 13, Levit teaches the system of claim 8 as described above. Levit further teaches the system wherein the access to the server from the computer includes use of the Internet (see paragraph 37).

17.   As per claim 14, Levit teaches the system of claim 8 as described above. Levit further teaches the system wherein the access to the server from the computer is remote (see paragraph 36 where the computer is in communication with the system through network connections or dial-in phone lines).

18.   As per claim 15, Levit teaches the method of transacting business between a customer and a business, the method comprising:

- Accessing a customer account on a server used by the business (see paragraph 36 where the customer account is a newly purchased policy); and

- Instructing the business

    o   To make an upcoming payment for an upcoming event (see paragraph 36 where the upcoming payment is for a purchased insurance policy),

    o   To request a payment from the business from a previous event (see paragraph 50 where the claim amount is determined to be paid), or

    o   To pair a payment with one or more upcoming events (see paragraph 51 where payment is made with the authorization provided in paragraph 50).

19.   As per claim 16, Levit teaches the method of claim 15 as described above. Levit further teaches the method wherein the previous event is a claim submitted by the customer to the business (see paragraph 50), and wherein payment is owed to the customer for the claim (see paragraph 51).

20.   As per claim 17, Levit teaches the method of claim 16 as described above. Levit further teaches the method wherein the claim relates to an insurance claim (see paragraph 50 where the insurance product is health insurance).

21.   As per claim 18, Levit teaches the method of claim 15 as described above. Levit further teaches the method wherein the upcoming event is a premium payment for an insurance policy (see paragraph 36 where the upcoming payment is for a purchased insurance policy).

22.   As per claim 19, Levit teaches the method of claim 15 as described above. Levit further teaches the method wherein the accessing the customer account involves use of the Internet (see paragraph 37).

23.   As per claim 20, Levit teaches the method of claim 15 as described above. Levit further teaches the method wherein the customer account is accessed remotely (see paragraph 36 where the computer is in communication with the system through network connections or dial-in phone lines).
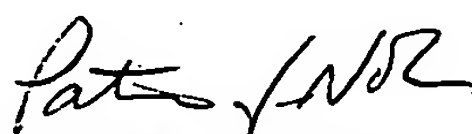
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Neal R. Sereboff whose telephone number is (571) 270-1373.

The examiner can normally be reached on Mon thru Thur from 7:30am to 5pm, with 1st Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Patrick Nolan can be reached on (571) 272-0847. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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PATRICK J. NOLAN, PH.D.
SUPERVISORY PATENT EXAMINER
11/30/06